

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X :
AURELIUS CAPITAL MASTER, LTD. and :
ACP MASTER, LTD., :

Plaintiffs, :

- against - :

THE REPUBLIC OF ARGENTINA, :

Defendant. :

No. 09 Civ. 8757 (TPG)

-----X :
AURELIUS CAPITAL MASTER, LTD. and :
ACP MASTER, LTD., :

Plaintiffs, :

- against - :

THE REPUBLIC OF ARGENTINA, :

Defendant. :

No. 09 Civ. 10620 (TPG)

-----X :
AURELIUS OPPORTUNITIES FUND II, LLC :
and AURELIUS CAPITAL MASTER, LTD., :

Plaintiffs, :

- against - :

THE REPUBLIC OF ARGENTINA, :

Defendant. :

No. 10 Civ. 1602 (TPG)

-----X : (captions continue on following pages)

**DECLARATION OF DANIEL B. RAPPORT IN
SUPPORT OF PLAINTIFFS' MOTION
FOR LEAVE TO AMEND AND
SUPPLEMENT COMPLAINTS**

| | |
|--------------------------------------|------------------------|
| -----X : | |
| AURELIUS OPPORTUNITIES FUND II, LLC | : |
| and AURELIUS CAPITAL MASTER, LTD., | : |
| | No. 10 Civ. 3507 (TPG) |
| Plaintiffs, | : |
| | : |
| - against - | : |
| | : |
| THE REPUBLIC OF ARGENTINA, | : |
| | : |
| Defendant. | : |
| -----X : | |
| AURELIUS CAPITAL MASTER, LTD. and | : |
| AURELIUS OPPORTUNITIES FUND II, LLC, | : |
| | No. 10 Civ. 3970 (TPG) |
| Plaintiffs, | : |
| | : |
| - against - | : |
| | : |
| THE REPUBLIC OF ARGENTINA, | : |
| | : |
| Defendant. | : |
| -----X : | |
| BLUE ANGEL CAPITAL I LLC, | : |
| | : |
| Plaintiff, | No. 10 Civ. 4101 (TPG) |
| | : |
| - against - | : |
| | : |
| THE REPUBLIC OF ARGENTINA, | : |
| | : |
| Defendant. | : |
| -----X : | |

| | |
|--------------------------------------|---|
| -----X : | |
| BLUE ANGEL CAPITAL I LLC, | : |
| | : |
| Plaintiff, | : |
| | : |
| - against - | : |
| | : |
| THE REPUBLIC OF ARGENTINA, | : |
| | : |
| Defendant. | : |
| | : |
| -----X : | |
| AURELIUS CAPITAL MASTER, LTD. and | : |
| AURELIUS OPPORTUNITIES FUND II, LLC, | : |
| | : |
| Plaintiffs, | : |
| | : |
| - against - | : |
| | : |
| THE REPUBLIC OF ARGENTINA, | : |
| | : |
| Defendant. | : |
| | : |
| -----X : | |

I, Daniel B. Rapport, declare as follows:

1. I am a partner at the law firm of Friedman Kaplan Seiler & Adelman LLP, counsel to Plaintiffs Aurelius Capital Master, Ltd., ACP Master, Ltd., Aurelius Opportunities Fund II LLC, and Blue Angel Capital I LLC (“Plaintiffs”) in the above-captioned actions.

2. I make this Declaration to put before this Court certain facts and documents related to Plaintiffs’ motion for leave to amend and supplement their complaints. The attached documents were assembled either by me or by other persons working at my firm.

3. On April 23, 2015, I, along with counsel for certain of the other Plaintiffs, took part in a telephone conference with Philippe A. Zimmerman, counsel to non-party Deutsche Bank AG (“Deutsche Bank”), regarding Deutsche Bank’s production of documents in response to NML’s request for production and the directive issued by the Court on April 22, 2015.

Deutsche Bank designated the substance of the telephone conference as confidential pursuant to the confidentiality orders entered in the above-captioned actions. [REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
 - [REDACTED]
 - [REDACTED]
4. Attached hereto are true and correct copies of the following documents:
- Exhibit 1: The proposed Second Amended Complaint in *Aurelius Capital Master, Ltd. and ACP Master, Ltd. v. The Republic of Argentina*, Case No. 09 Civ. 8757 (TPG) (S.D.N.Y.).
 - Exhibit 2: The proposed Second Amended Complaint in *Aurelius Capital Master, Ltd. and ACP Master, Ltd. v. The Republic of Argentina*, Case No. 09 Civ. 10620 (TPG) (S.D.N.Y.).
 - Exhibit 3: The proposed Third Amended Complaint in *Aurelius Opportunities Fund II, LLC and Aurelius Capital Master, Ltd. v. The Republic of Argentina*, Case No. 10 Civ. 1602 (TPG) (S.D.N.Y.).
 - Exhibit 4: The proposed Third Amended Complaint in *Aurelius Opportunities Fund II, LLC and Aurelius Capital Master, Ltd. v. The Republic of Argentina*, Case No. 10 Civ. 3507 (TPG) (S.D.N.Y.).
 - Exhibit 5: The proposed Third Amended Complaint in *Aurelius Capital Master, Ltd. and Aurelius Opportunities Fund II, LLC v. The Republic of Argentina*, Case No. 10 Civ. 3970 (TPG) (S.D.N.Y.).
 - Exhibit 6: The proposed Second Amended Complaint in *Blue Angel Capital I LLC v. The Republic of Argentina*, Case No. 10 Civ. 4101 (TPG) (S.D.N.Y.).

- Exhibit 7: The proposed Second Amended Complaint in *Blue Angel Capital I LLC v. The Republic of Argentina*, Case No. 10 Civ. 4782 (TPG) (S.D.N.Y.).
- Exhibit 8: The proposed Second Amended Complaint in *Aurelius Capital Master, Ltd. and Aurelius Opportunities Fund II, LLC v. The Republic of Argentina*, Case No. 10 Civ. 8339 (TPG) (S.D.N.Y.).
- Exhibit 9: The Amended February 23, 2012 Order entered by this Court, on November 26, 2012, as Docket No. 312 in Case No. 09 Civ. 8757.
- Exhibit 10: The Fiscal Agency Agreement between the Republic of Argentina and Bankers Trust Company, Fiscal Agent, dated as of October 19, 1994.
- Exhibit 11: A transcript of the hearing held April 22, 2015 in *NML Capital, Ltd. v. The Republic of Argentina*, Case No. 08 Civ. 6978 (TPG) (S.D.N.Y.).
- Exhibit 12: A certified translation of Argentine Law No. 26,547, enacted December 9, 2009.
- Exhibit 13: A certified translation of Argentine Law No. 26,886, enacted September 20, 2013.
- Exhibit 14: A transcript of the hearing held August 21, 2014 in the above-captioned actions.
- Exhibit 15: A certified translation of Argentine Law No. 26,984, enacted September 11, 2014.
- Exhibit 16: An article by Katia Porzecanski published by Bloomberg titled *Argentina Deposits \$161 Million in Local Bank for Debt Payment*, dated September 30, 2014.
- Exhibit 17: A certified translation of an article published by Clarín titled *To bypass the Griesa ruling, Argentina issued the funds for a maturing bond into an account at [Banco] Nación*, dated January 2, 2015.
- Exhibit 18: A certified translation of an article published by Ámbito Financiero titled *Without Citibank, the Government Paid US\$ 163 Million in Bonds*, dated April 30, 2015.
- Exhibit 19: A document published by Caja de Valores entitled “Caja de Valores informs,” available at http://www.cajval.sba.com.ar/pdf/informe_citi_ing.pdf

- Exhibit 20: An English version of the Agreement for the Amicable Settlement and Compromise of Expropriations, dated February 27, 2014, entered into by the Republic, Repsol S.A. (“Repsol”), and certain affiliates of Repsol.
- Exhibit 21: A certified translation of Argentine Finance Secretary Resolution No. 26/2014, dated April 30, 2014.
- Exhibit 22: An Official Notice, dated May 9, 2014, issued by Repsol.
- Exhibit 23: A document [REDACTED] produced by JPMorgan in these actions bearing the Bates numbers JPM0000888-96.
- Exhibit 24: [REDACTED] produced by Deutsche Bank in these actions bearing the Bates numbers DB002715-16.
- Exhibit 25: [REDACTED] produced by Deutsche Bank in these actions bearing the Bates numbers DB002868-69.
- Exhibit 26: [REDACTED] produced by Deutsche Bank in these actions bearing the Bates numbers DB002881-86.
- Exhibit 27: [REDACTED] produced by Deutsche Bank in these actions bearing the Bates number DB000477.
- Exhibit 28: [REDACTED] produced by Deutsche Bank in these actions bearing the Bates numbers DB002009-10.
- Exhibit 29: [REDACTED] produced by Deutsche Bank in these actions bearing the Bates numbers DB000114-15.
- Exhibit 30: Excerpts from the deposition of Lisandro Miguens (JPMorgan) taken in these actions on February 27, 2015.
- Exhibit 31: [REDACTED] produced by JPMorgan in these actions bearing the Bates numbers JPM0000622-23.

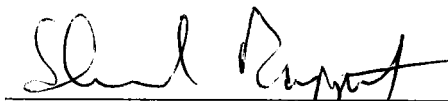
- Exhibit 32: [REDACTED] produced by JPMorgan in these actions bearing the Bates numbers JPM0000811-12.
- Exhibit 33: [REDACTED] produced by JPMorgan in these actions bearing the Bates numbers JPM0000658-59.
- Exhibit 34: [REDACTED] produced by JPMorgan in these actions bearing the Bates numbers JPM0000837-38.
- Exhibit 35: Excerpts from the deposition of Jeanmarie Genirs (Deutsche Bank) taken in these actions on February 26, 2015.
- Exhibit 36: A certified translation of a Press Release issued by the Argentine Ministry of the Economy titled Invitation to Bid, dated April 21, 2015.
- Exhibit 37: A certified translation of Argentine Joint Resolution No. 31/2015 & 10/2015.
- Exhibit 38: A Bloomberg Message from Deutsche New York Syndicate, dated April 21, 2015.
- Exhibit 39: [REDACTED] dated April 23, 2015 and April 24, 2015.
- Exhibit 40: A certified translation of an article published by La Política Online titled *Deutsche Bank and Marathon, Behind Kicillof's Debt Placement*, dated April 22, 2015.
- Exhibit 41: A certified translation of a Press Release issued by the Argentine Ministry of the Economy titled Results of BONAR 2024 tender, dated April 21, 2015.
- Exhibit 42: A certified translation of an article by Pablo Wende published by *Ámbito Financiero* titled *Government was able to place US\$ 1.415 billion (but paid almost 9% per year)*, dated April 22, 2015.
- Exhibit 43: A certified translation of an article by Esteban Rafele published by *Cronista* titled *At high rates, Argentina covered 50% of key debt that will come due in October*, dated April 24, 2015.
- Exhibit 44: A certified translation of Press Release No. 15741 issued by Merval, dated April 21, 2015.

- Exhibit 45: A certified translation of an article by Paola Quain published by Perfil titled *Pepa and Szpigiel, the operators behind the "financial summer"*, dated May 3, 2015.
- Exhibit 46: A certified translation of an article by Ana Baron published in Clarín titled *BONAR 24: half of it was reportedly bought by a U.S.-based fund*, dated April 27, 2015.
- Exhibit 47: A certified translation of a statement issued by Prensa Argentina titled *Kicillof: "The bids received for BONAR 24 exceeded expectations,"* dated April 24, 2015.
- Exhibit 48: An article published by the Buenos Aires Herald titled *CFK: 'We'll never honour international usury or scam,'* dated April 28, 2015.
- Exhibit 49: A certified translation of an article published by La Nación titled *Kicillof: "They must be annoyed"*, dated April 23, 2015.
- Exhibit 50: A certified translation of a statement published by Alejandro Vanoli on his official Twitter account on April 23, 2015, at 11:24 AM, available at <https://twitter.com/VanoliAlejandro/status/591306648511246337>.
- Exhibit 51: A certified translation of an excerpt of the Regulations of the Argentine Comisión Nacional de Valores, including Article 70.
- Exhibit 52: A certified translation of a Resolution of the Argentine Comisión Nacional de Valores, dated December 10, 2014.
- Exhibit 53: A certified translation of an article by Ignacio Olivero Doll published by *Ámbito Financiero* titled *Bonar: issuance built up steam thanks to the dollars from abroad*, dated April 22, 2015.
- Exhibit 54: A certified translation of an article by Javier Blanco published by La Nación titled *No Relief in 2015: Debt issue raises less than 10% of what was hoped*, dated December 13, 2014.

5. I declare under penalty of perjury that to the best of my knowledge the

foregoing is true and correct.

Executed in New York, New York
on this 11th day of May, 2015



Daniel B. Rapport